

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,) Case No. 8:05CR202
Plaintiff,)
vs.)
CARRELL D. HUNTER,)
Defendant.)

This matter is before the court on the plaintiff's Motion to Continue [29] the hearing on the defendant's Motion to Suppress [17], now set for August 31, 2005. For good cause shown,

IT IS ORDERED:

1. The government's Motion to Continue [29] is granted.
2. The following motion is set for hearing on **September 27, 2005 at 9:00 a.m.** before Magistrate Judge F. A. Gossett, Courtroom No. 6, Second Floor, Roman L. Hruska U.S. Courthouse, 111 So. 18 Plaza, Omaha, Nebraska:
 - Motion to Suppress [17] filed by the defendant

Since this is a criminal case, the defendant must be present, unless excused by the Court.

3. The ends of justice will be served by granting such motion and outweigh the interests of the public and the defendant in a speedy trial. Any additional time arising as a result of the granting of this motion, that is, the time between **August 31, 2005 and September 27, 2005**, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act because of counsel's and witnesses' scheduling conflicts. The failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(8)(A) & (B).

DATED August 24, 2005.

BY THE COURT:

**s/ F.A. Gossett
United States Magistrate Judge**